

DELEGATE BOYER: Temporarily, yes, sir.

DELEGATE JAMES (presiding): Delegate Moser.

DELEGATE MOSER: I was going to ask Delegate Hardwicke to yield for a question about this, but since it has been withdrawn I will wait until it is re-offered.

DELEGATE JAMES (presiding): Are there any further amendments to section 10.01?

*(There was no response.)*

The Chair hearing none, we will go to section 10.02. Are there any amendments to section 10.02?

Delegate Winslow.

DELEGATE WINSLOW: There is an amendment marked B.

DELEGATE JAMES (presiding): The Chair is getting into the swing of things, and will this "B" for "boy".

The pages will distribute Amendment B. This will be Amendment No. 6.

The Clerk will read Amendment No. 6.

READING CLERK: Amendment No. 6 as amended by Report No. S&D-17 to Committee Recommendations GP-7, GP-8, GP-9, GP-12, R&P-1, and LB-3 on second reading by Delegates Winslow, Borom, Bryson, Byrnes, J. Clark, Fox, Freedlander, Gallagher, Hanson, Hopkins, Jett, Needle, F. C. Robey, Schloeder, Ulrich, Wagandt, White, Willoner and Winslow. On pages 1 and 2, section 10.02, Constitutional Amendment, in line 25 on page 1 strike out the word "either"; and in line 1 on page 2 strike out the word "or" and insert in lieu thereof a comma: and in line 4 on page 2 strike out the period and all of lines 4 through 8, inclusive, and insert in lieu thereof the following: ", or by a petition filed with the office of the governor signed by a number of qualified voters of the State equal to ten percent of the total number of votes cast for governor in the most recent gubernatorial election, provided that not more than one-fourth of such number shall be voters in any one county. Any such petition shall be in such form, and shall be signed and circulated in such manner as shall be prescribed by law. When proposed by the General Assembly or by a petition of the voters, the proposed amendment shall be submitted to the voters of the State at a special or general election as determined by the General Assembly and when proposed by a constitutional convention shall

be submitted to the voters at a special or general election as determined by the Convention."

DELEGATE JAMES (presiding): Delegate Winslow.

DELEGATE WINSLOW: I hesitate to offer this amendment. It is the same amendment, or virtually the same, as came up before the Committee of the Whole, but several delegates who were absent on that day have urged me to do it, and because there were 1 or 2 pieces of argument which were not then presented, I ask the indulgence of the delegates for a few minutes, and hope the debate will not be protracted.

I might say, however, this is intended as an amendment to provide the possibility of the initiative at the hands of the people for producing constitutional amendments. As I said the other day, it is in existence in about fifteen states. It is set up in this proposal as a very difficult process in order that there may be very infrequent amendments.

One of the arguments which was presented the other day when this came before this house was that if this should be a part of the constitution the people could at any time insert a law in the constitution which ought not to be there.

I suggest that if this becomes a part of the constitution the people could at any time take out of the constitution a provision which perhaps never should have been there. It works both ways.

I call the attention of the delegates to the fact that there is nothing new or different about this. This is not an unusual provision. It is the same sort of provision which is to be found in the Baltimore City charter for amending that instrument; it is to be found in the Baltimore County charter for amending that instrument; it is found in the Montgomery County charter.

This is not new to Maryland, and I know of no cases in which in those instances where it has been effective in this State it has been abused.

I do not care to repeat the arguments which were presented the other day. I wanted, however, to give an opportunity for some of those people who were not in the Convention a few days ago to have a chance to express themselves, and particularly Delegate Clark.

DELEGATE JAMES (presiding): Delegate Sherbow.